

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

MARY HEATHER MCAFEE, ZAHER  
MURRAY AND GEORGE WRIGHT, on  
behalf of themselves and all similarly situated  
individuals,

*Plaintiffs,*

v.

MERIDIANLINK, INC.,

*Defendant.*

Civil Action No. 3:23-cv-439

**DECLARATION OF FRANK BARKAN ON IMPLEMENTATION OF CAFA NOTICE**

I, Frank Barkan, hereby declare as follows:

1. My name is Frank Barkan and I make this declaration in Montgomery County, Pennsylvania. The statements that follow are all made of my personal knowledge.
2. I am a partner of Continental DataLogix LLC (“Continental”), a provider of class action settlement administration services with an office in Lansdale, Pennsylvania. Prior to my current position, I was a partner and senior director for 20 years with RSM US LLP, a nationwide provider of audit, tax, and consulting services. Before that, I was a partner with Rudolph, Palitz, a former accounting and professional services firm located in the Philadelphia, Pennsylvania area. Since 1980, I have been associated with the administration of a variety of class action settlements ranging from 50 class members to over 20 million class members.
3. My experience includes administering various types of class action settlements including consumer products, fraud, employment law, product liability, antitrust, credit reporting, and financial and securities cases. A list of settlements that I have been involved with can

be made available upon request.

4. Continental's class action administration services include coordination of notice requirements, document design, notice fulfillment services, coordination with the United States Postal Service, settlement website development and maintenance, dedicated phone lines with recorded information for Class Members and live operator availability, receipt and processing of opt-outs, management of claims databases, claims adjudication, funds management, and award calculations and distribution services. Continental works with the settling parties, the Court, and the Class Members in a neutral role to implement the administration services based on the terms of the Settlement or following the Court's direction.
5. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business.

#### **CAFA NOTICE IMPLEMENTATION**

6. At the direction of counsel for Defendant MeridianLink, Inc., 57 federal and state officials were identified to receive CAFA notice. A list of these federal and state officials with contact information is maintained for the purpose of providing CAFA notice.
7. On August 1, 2024, 57 CAFA Notice Packages ("Notice") were sent. The Notice was mailed via USPS Priority Mail to 54 officials, including the Attorneys General of 48 states, the District of Columbia, and the United States Territories. At the direction of the Offices of the Nevada and Connecticut Attorneys General, the Notice was sent via email. The Notice was also sent via United Parcel Service ("UPS") to the Attorney General of the United States. The CAFA Notice Service List (USPS Priority Mail, Email and UPS) is included as Attachment 1.

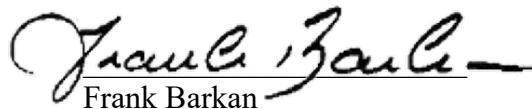
8. The materials sent to the federal and state officials included a cover letter, which provided notice of the proposed settlement of the above-captioned case. The cover letter is included as Attachment 2.
9. The cover letter was accompanied by a CD, which included the following:
  - a. Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:
    - Class Action Complaint (filed July 10, 2023); and
    - Amended Class Action Complaint (filed March 26, 2024)
  - b. Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:
    - Internet Notice (*Exhibit 1 to the Memorandum in Support of Plaintiffs’ Unopposed Motion*).
  - c. Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:

The following documents were included:

    - Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement;
      - Settlement Agreement and Release (*Exhibit 1 to the Plaintiffs’ Unopposed Motion for Preliminary Approval*);
      - Proposed Injunctive Relief Order (*Exhibit A to the Settlement Agreement and Release*);
      - Proposed Order Preliminarily Approving Settlement and Directing Notice to Class (*Exhibit B to the Settlement Agreement and Release*);
      - Proposed Final Approval Order (*Exhibit C to the Settlement Agreement and Release*);

- Memorandum in Support of Plaintiffs' Unopposed Motion for Preliminarily Approval of Class Action Settlement;
  - Declaration of Kristi C. Kelly (*Exhibit 2 to the Memorandum in Support of Plaintiffs' Unopposed Motion*);
  - Declaration of E. Michelle Drake (*Exhibit 3 to the Memorandum in Support of Plaintiffs' Unopposed Motion*);
  - and
  - Declaration of Dale W. Pittman (*Exhibit 4 to the Memorandum in Support of Plaintiffs' Unopposed Motion*).

Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 13<sup>th</sup> day of August 2024.

  
Frank Barkan

# Attachment 1

## CAFA Notice Service List

## USPS Priority Mail

Appropriate Official	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Treg Taylor	1031 W 4th Ave	Suite 200	Anchorage	AK	99501
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36104
Office of the Attorney General	Tim Griffin	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Kris Mayes	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Protection Section	455 Golden Gate Ave Suite 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway Fl 10	Denver	CO	80203
Office of the Attorney General	Brian Schwalb	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Anne E Lopez	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Brenna Bird	Hoover State Office Building	1305 E Walnut St	Des Moines	IA	50319
Office of the Attorney General	Raul Labrador	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Office of the Indiana Attorney General	Todd Rokita	Indiana Government Center South	302 W Washington St Rm 5	Indianapolis	IN	46204
Office of the Attorney General	Kris Kobach	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Russell Coleman	700 Capitol Ave Suite 118		Frankfort	KY	40601
Office of the Attorney General	Liz Murrill	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Andrea Campbell	1 Ashburton Pl 20th Fl		Boston	MA	02108
Office of the Attorney General	Anthony G Brown	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO BOX 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St Ste 1400		St Paul	MN	55101
Missouri Attorney General's Office	Andrew Bailey	207 West High Street	PO Box 899	Jefferson City	MO	65102
Mississippi Attorney General	Lynn Fitch	PO Box 220		Jackson	MS	39205
Office of the Attorney General	Austin Knudsen	215 N Sanders 3rd Fl	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Drew H Wrigley	600 E Boulevard Ave Dept 125		Bismarck	ND	58505
Nebraska Attorney General	Mike Hilgers	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Matthew J Platkin	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Raul Torrez	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	CAFA Coordinator	28 Liberty Street 15th Floor		New York	NY	10005
Office of the Attorney General	Dave Yost	30 E Broad St Fl 14		Columbus	OH	43215
Office of the Attorney General	Gentner Drummond	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Michelle A Henry	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Marty Jackley	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Jonathan Skrmetti	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	PO Box 12548		Austin	TX	78711
Office of the Attorney General	Sean D Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Jason S Miyares	202 N 9th St		Richmond	VA	23219
Office of the Attorney General	Charity R Clark	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 5th Ave Ste 2000		Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrissey	State Capitol Complex Bldg 1 Room E 26	1900 Kanawha Blvd E	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	109 State Capital		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	American Samoa Gov't Exec Ofc Bldg Utulei	Territory of American Samoa	Pago Pago	AS	96799
Attorney General Office of Guam	Douglas Moylan	Administrative Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Gordon C. Rhea	3438 Kronprindsens Gade Ste 2	GERS BLDG	St Thomas	VI	00802

**CAFA Notice Service List**

**Email**

<b>Appropriate Official</b>	<b>Contact Format</b>	<b>State</b>
Office of the Attorney General for Connecticut	All documents sent to CT AG at their dedicated CAFA email inbox.	CT
Office of the Attorney General for Nevada	All documents sent to NV AG at their dedicated CAFA email inbox.	NV

**CAFA Notice Service List**

**UPS**

<b>Appropriate Official</b>	<b>FullName</b>	<b>Address1</b>	<b>Address2</b>	<b>City</b>	<b>State</b>
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC



# Attachment 2



Class Action Services  
1684 S. Broad Street  
Suite 140  
Lansdale, PA 19446

[www.continentaldlx.com](http://www.continentaldlx.com)

August 1, 2024

**VIA UPS OR USPS PRIORITY MAIL**

**Class Action Fairness Act – Notice to Federal and State Officials**

Dear Federal and State Officials:

Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), codified at 28 U.S.C. § 1715, please find enclosed information from Defendant MeridianLink, Inc. relating to the proposed settlement of a class action lawsuit.

- **Case:** *McAfee, on behalf of herself and all similarly situated individuals v. MeridianLink, Inc.*, Case No. 3:23-cv-439.
- **Court:** United States District Court for the Eastern District of Virginia.
- **Defendant:** MeridianLink, Inc.
- **Documents Enclosed:** In accordance with the requirements of 28 U.S.C. § 1715, please find copies of the following documents associated with this action on the enclosed CD:
  1. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:**
    - Class Action Complaint (filed July 10, 2023); and
    - Amended Class Action Complaint (filed March 26, 2024).
  2. **Per 28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** The Court has scheduled a preliminary approval hearing on August 1, 2024 at 1:30 p.m. at 701 East Broad Street, Richmond, Virginia 23219, Courtroom 6000. The Court has not scheduled a final approval hearing or any other judicial hearing concerning the settlement agreement at this time.
  3. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:**
    - Internet Notice (*Exhibit 1 to the Memorandum in Support of Plaintiffs’ Unopposed Motion*).
  4. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The following documents are included:
    - Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement;
      - Settlement Agreement and Release (*Exhibit 1 to the Plaintiffs’ Unopposed Motion for Preliminary Approval*);

- Proposed Injunctive Relief Order (*Exhibit A to the Settlement Agreement and Release*);
  - Proposed Order Preliminarily Approving Settlement and Directing Notice to Class (*Exhibit B to the Settlement Agreement and Release*);
  - Proposed Final Approval Order (*Exhibit C to the Settlement Agreement and Release*);
  - Memorandum in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement;
    - Declaration of Kristi C. Kelly (*Exhibit 2 to the Memorandum in Support of Plaintiffs' Unopposed Motion*);
    - Declaration of E. Michelle Drake (*Exhibit 3 to the Memorandum in Support of Plaintiffs' Unopposed Motion*); and
    - Declaration of Dale W. Pittman (*Exhibit 4 to the Memorandum in Support of Plaintiffs' Unopposed Motion*).
5. **Per 28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** Other than the named Plaintiffs executing separate agreements releasing their individual claims at a later date, there are no other settlements or other agreements contemporaneously made between class counsel and counsel for the defendants.
6. **Per 28 U.S.C. § 1715(b)(6) – Final Judgment or Notice of Dismissal:** To date, the Court has not issued a final order, judgment or notice of dismissal in the above-referenced action.
7. **Per 28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** The Parties have not identified the individual members of the class and thus it is not feasible to identify the names of the class members who reside in each State. The Parties have no reason to believe that the makeup of the class by State would be considerably different than each State's proportionate share of the general U.S. population.
8. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** To date, the Court has not issued a final order or judgment in the above-referenced action.

If you have questions or concerns about this notice or the enclosed materials, please contact this office.

Sincerely,

CAFA Notice Administrator

Enclosures